

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION
English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MEDIUM TEMPERATURE REFRIGERATED MERCHANDISER

the specification of which

_____ is attached hereto

_____ was filed on _____ May 4, 2001 _____ as

Application Serial No. _____ 09/849,209 _____

and was amended on _____

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Patent and Trademark Office all information known to me to be material to patentability as defined in 37 C.F.R. 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also

identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

| | | | | |
|----------|-----------|--------------|-------|-------|
| _____ | _____ | _____ | _____ | _____ |
| (number) | (country) | (date filed) | yes | no |
| _____ | _____ | _____ | _____ | _____ |
| (number) | (country) | (date filed) | yes | no |
| _____ | _____ | _____ | _____ | _____ |
| (number) | country) | (date filed) | yes | no |

I hereby claim the benefit under Title 35, United States Code, §119(e)(1) of the United States provisional application listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

| | | |
|--------------------------|---------------|----------|
| _____ | _____ | _____ |
| (application serial no.) | (filing date) | (status) |
| _____ | _____ | _____ |
| (application serial no.) | (filing date) | (status) |

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under

Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agents(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

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